

FILED

JUL 27 2012

TOM DALY, CLERK-RECORDER

By DC DEPUTYRecorded in Official Records, Orange County
Tom Daly, County Recorder

NO FEE

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CITY OF NEWPORT BEACH
3300 Newport Boulevard
P.O. Box 1768
Newport Beach, CA 92658-8915
(949) 644-3200

NOTICE OF EXEMPTION

To:



Office of Planning and Research
P.O. BOX 3044
Sacramento, CA 95812-3044

From:

City of Newport Beach Planning Department
3300 Newport Boulevard P.O. Box 1768
Newport Beach, CA 92658-8915



County Clerk-Recorder, County of Orange
12 Civic Center Plaza
Santa Ana, CA 92701

Date received for filing at OPR/County Clerk:

| | | | |
|-----------------------------|--|---------------------------|--------|
| Project Title: | Very High Fire Hazard Severity Zone designation within the City of Newport Beach | | |
| Project Location – Specific | Portions of Buck Gully and portions of Newport Ridge and Newport Coast planned communities east of Newport Coast Drive (see attached map) | | |
| Project Location - City: | Newport Beach | Project Location – County | Orange |
| Project Description: | Designation of portions of the City of Newport Beach as a Very High Fire Hazard Severity Zone in accordance with Government Code section 51179(a). | | |

Exempt Status: (check one)

- ☒ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number Existing _____
- ☐ Statutory Exemptions. State code number _____
- ☐ General Rule (Sec. 15061(b)(3))

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By DC DEPUTYReasons why project is exempt: SEE ATTACHMENTSName of Public Agency Approving Project: City of Newport BeachDate of Approval: July 24, 2012Name of Person or Agency Carrying Out Project: City of Newport Beach 3300 Newport Blvd.Contact Person: Kevin KitchTitle: Assistant ChiefSignature: [Signature]Tel.No. (949) 644-3106Date: July 25, 201292658

Notice of Exemption

City of Newport Beach designation of portions of the City as a Very High Fire Hazard Severity Zone in accordance with Government Code Section 51179(a).

1. Project Location

Buck Gully north of Coast Highway and portions of the Newport Coast and Newport Ridge Planned Communities located east of Newport Coast Drive (see attached map). The officially adopted map is on file with the City Clerk of the City of Newport Beach. Copies of the map may be obtained at the Newport Beach Fire Department.

2. Reasons why the project is exempt from CEQA

The Very High Fire Hazard Severity Zone ("VHFHSZ") designation ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code section 21080(b) (1) and CEQA Guidelines section 15268(a) because the adoption of the ordinance is mandated by Government Code section 51179(a). Further, the adoption of the VHFHSZ map does not cause significant public safety issues based upon the substantial evidence contained in the record and the activities required of a person who owns, leases, controls, operates, or maintains a dwelling or structure in an area designated to be within a VHFHSZ are mandated by Government Code Section 51182 and not subject to the discretion of the City. The adoption of the ordinance is therefore ministerial. To the extent that provisions of this ordinance are considered discretionary decisions of the City due to the exclusion of certain areas from the map as submitted by CAL FIRE, the excluded areas will not be affected by the VHFHSZ map or fuel management activities directly resulting there from, and therefore, there will be no impact to the environment in these excluded areas. Furthermore, this ordinance is exempt from CEQA pursuant to CEQA Guidelines section 15304(i), which applies to fuel clearance activities within 100 feet of a structure.

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